

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

KEVIN H. MCKENNA,

Plaintiff,

v.

NESTLE PURINA PETCARE CO.,

Defendant.

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Case No. C2-05-976

JUDGE ALGENON L. MARBLEY
Magistrate Judge Mark Abel

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the March 31, 2009 Opinion and Order, defendant's motion for summary judgment is **GRANTED**, plaintiff's motion for summary judgment is **DENIED**. Judgment is entered for the Defendant. This case is **DISMISSED**.

Date: **March 31, 2009**

James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk